

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**CRIMINAL ACTION NO.: 3:19-CR-29
(GROH)**

MICHAEL KENNEDY,

Defendant.

ORDER OF HEARING ON PROTECTIVE ORDER

On April 4, 2019, the parties in the above-styled criminal case appeared before the Court for a hearing regarding the Government's Unopposed Motion for Protective Order [ECF No. 8]. The Defendant was present in person and represented by counsel, B. Craig Manford. The Government was represented by Jarod J. Douglas, who was present by telephone, Paul T. Camilletti and Jeffrey A. Finucane. In its motion, the Government stated that it had legitimate concerns about releasing sensitive personal information without adequate protections in place. The information includes the dashboard camera video evidence of the alleged offense that was released to the public by the Berkeley County Prosecuting Attorney's Office on March 21, 2019. The Government asserted that it had no involvement whatsoever with the release of the video to the public.

At the hearing, the Court **GRANTED** the Government's Unopposed Motion for Protective Order. ECF No. 8. Additionally, the Court advised the parties it too was concerned about being able to empanel an impartial jury since this case had received widespread press coverage following the release of the video. The Court requested the

parties develop an alternative plan for moving this trial to another location in the event an impartial jury cannot be seated on the trial date. The Court **ORDERED** that 100 potential jurors would be called for trial service.

The Clerk is **DIRECTED** to transmit copies of this Order to counsel of record herein.

DATED: April 11, 2019



GINA M. GROH
CHIEF UNITED STATES DISTRICT JUDGE